

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

|                                  |   |                  |
|----------------------------------|---|------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                  |
|                                  | ) |                  |
| <b>Plaintiff,</b>                | ) |                  |
|                                  | ) |                  |
| <b>v.</b>                        | ) | <b>8:04CR231</b> |
|                                  | ) |                  |
| <b>RICHARD ZAVALA,</b>           | ) |                  |
|                                  | ) |                  |
| <b>Defendant.</b>                | ) | <b>ORDER</b>     |

Before the court is the Motion to Withdraw [21] filed by defense counsel, Karen M. Shanahan, due to a newly discovered conflict of interest. For good cause shown, the motion is granted and new counsel will be appointed.

**IT IS ORDERED:**

1. The Motion to Withdraw [21] is granted, and the appearance of Karen M. Shanahan is hereby deemed withdrawn.

2. **Michael D. Nelson** is appointed as attorney of record for the above-named defendant.

3. The Federal Public Defender's Office shall forthwith provide appointed counsel with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

4. The trial now set for May 6, 2008 is continued to **June 2, 2008** before Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska; because this is a criminal case, defendant(s) must be present in person. Counsel will receive more specific information regarding the order of trial from Judge Smith Camp's staff. Counsel for the United States

shall confer with defense counsel and, no later than **May 28, 2008**, advise the court of the anticipated length of trial.

5. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **May 1, 2008 and June 2, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

**DATED May 1, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett**

**United States Magistrate Judge**